

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LEILA MARIE MCCOY,

Plaintiff,

vs.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

8:20-CV-391

ORDER TO SHOW CAUSE

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

Plaintiff filed the Complaint on September 28, 2020. Filing 1. More than 90 days has elapsed since the Complaint was filed. Plaintiff was mailed three summons forms and three USM-285 forms on October 2, 2020, Filing 5, and the forms were re-sent to her updated address on October 19, 2020, Filing 7. To date, Plaintiff has not returned her summons forms, a waiver of service has not been filed, Defendant has not entered a voluntary appearance, nor has Plaintiff requested an extension of time to complete service. Accordingly,

IT IS ORDERED that Plaintiff shall have until **March 8, 2021**, to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 5th day of February, 2021.

BY THE COURT:



Brian C. Buescher
United States District Judge